

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
NORTHERN DIVISION

A.G., a minor child, by and through her  
mother and next of friend, K.C.; D.A., a  
minor child, by and through her mother  
and next of friend, B.A.; A.L., a minor  
child, by and through her mother and  
next of friend, C.T.; M.K., a minor child,  
by and through her mother and next of  
friend, K.K.; and M.H., a minor child, by  
and through her mother and next of  
friend, B.H.,

Plaintiffs,

v.

AUTAUGA COUNTY BOARD OF  
EDUCATION; JOSEPH L. BUTLER; and  
TERRY WRIGHT,

Defendants.

CASE NO.: 2:05-CV-1090

**PLAINTIFFS' MOTION FOR ORDER FOR  
ISSUANCE OF SUBPOENA TO PRODUCE RECORDS**

Plaintiffs, by and through their attorney of record, and would show the Court as follows:

1. It has become necessary for Plaintiffs to obtain and examine certain military records in the possession of the Custodian of Records of the National Personnel Records Group.

2. A subpoena demanding the production of the records is attached hereto as Exhibit "A".

3. The National Personnel Records Group will produce the documents pursuant "to the order of a court of competent jurisdiction." (Exhibit "B")

4. Plaintiff submits that the United States District Court for the Middle District of Alabama is a "court of competent jurisdiction."

5. Pursuant to the interpretation of the agency in question, a subpoena signed by a judge will qualify as an "order."

6. Plaintiffs aver that this identical procedure has been followed in this Court in the past, most notably in *Savage v. Goodwill Industries of Central Alabama, Inc.*, CV-94-T-1541-N, in which Judge Thompson issued a separate order for production with which the National Personnel Records Center complied and *Swanson v. Civil Air Patrol*, CV-98-A-223-N, Magistrate Cooley issued an Order for the production of records.

WHEREFORE, the premises considered, Plaintiffs prays that the Court will issue the attached proposed Order or, in the alternative at the Court's discretion, sign the attached subpoena so that Plaintiffs may cause it to be served by first-class mail on the National Personnel Records Center.

/s/Michael J. Crow  
MICHAEL J. CROW (CR039)  
Attorney for Plaintiffs

OF COUNSEL:

BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS & MILES, P.C.  
P.O. Box 4160  
Montgomery, AL 36103-4160  
(334) 269-2343

/s/Robert D. Drummond  
ROBERT D. DRUMMOND (DRU004)  
Attorney for Plaintiffs

OF COUNSEL:

Attorney at Law  
323 De LaMare  
Fairhope, AL 36532  
(251) 990-6249

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing upon all counsel of record listed below by placing a copy of the same in the U.S. Mail, first class postage prepaid, on this the 30<sup>th</sup> day of January, 2006.

/s/Michael J. Crow  
OF COUNSEL

Terry Wright  
1268 Plum Street  
Prattville, Alabama 36066

Mark Boardman  
Boardman, Carr, Reed, Hutcheson  
Post Office Box 382886  
Birmingham, Alabama 35238-2886

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A.G., a minor child, by and through \*  
her mother and next of friend, K.C.; \*  
D.A., a minor child, by and through \*  
her mother and next of friend, B.A.; \*  
A.L., a minor child, by and through \*  
her mother and next of friend, C.T.; \*  
M.K., a minor child, by and through \*  
her mother and next of friend, K.K.; \*  
and M.H., a minor child, by and \*  
through her mother and next of \*  
friend, B.H., \*

CASE NO.: 2:05-CV-1090

Plaintiffs,

v.

AUTAUGA COUNTY BOARD OF \*  
EDUCATION; JOSEPH L. BUTLER; \*  
and TERRY WRIGHT, \*

Defendants.

**ORDER**

This action is pending before the court on Plaintiffs motion for order directed to the National Personnel Records Center to produce to Plaintiffs attorney certain documents relating to the military service of Terry C. Wright, a defendant in the above-captioned action.

The court having considered the matter has concluded that Plaintiff's motion is well taken and due to be granted. Accordingly, it is

ORDERED that Plaintiff's motion is GRANTED. The National Personnel Records Center is ordered to produce to the law offices of Beasley, Allen, Crow,

Methvin, Portis & Miles, P.C., Post Office Box 4160, Montgomery, Alabama 36103-4160, the following documents:

Any and all records either in your possession, or to which you have access, of the service in the United States Air Force of Terry Wright, SSN 416-60-1247, DOB May 18, 1945, including his entire personnel file, particularly including but not limited to all records and documents that show the duty stations, the dates of service at those duty stations and the jobs, positions and titles, training received and badges and decorations awarded to him, periodic evaluations, promotions, demotions, complaints, grievances, investigations, reprimands, Article 15 violations UCMJ, or any document by whatever designation, whether memorandums, emails and/or reports concerning Mr. Wright's conduct while in the USAF from 1967-1990.

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UNITED STATES DISTRICT JUDGE  
MARK FULLER

Michael J. Crow  
Beasley, Allen, Crow, Methvin,  
Portis & Miles, P.C.  
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1268 Plum Street  
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